



PTO/SB/21 (09-04) (AW 10/2004)

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/863,593
Filing Date	May 23, 2001
First Named Inventor	Parag Pruthi
Art Unit	2663
Examiner Name	Duc T. Duong
Attorney Docket No.	NIK-100US

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO-Form PTO/SB/08b, 4 References, Return Receipt Postcard
<b>Remarks:</b>		

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm Name	Ratner Prestia		
Signature			
Printed Name	Christopher J. Dervishian		
Date	January 10, 2006	Registration No.	42,480

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Signature			
Typed or Printed Name	Anne Pinto	Date	January 10, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 09/863,593  
Applicant: Parag Pruthi et al.  
Filed: May 23, 2001  
Title: APPARATUS AND METHOD FOR COLLECTING AND ANALYZING  
COMMUNICATIONS DATA  
TC/A.U.: 2663  
Examiner: Duc T. Duong

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO/SB/08a (and/or PTO/SB/08b) submitted herewith. A copy of the references listed on the PTO/SB/08a (and/or PTO/SB/08b), other than U.S. patents, is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

Enclosed and listed on the PTO/SB/08b form are communications received for corresponding foreign and international applications and references cited in such communications. The information submitted herewith is provided to ensure compliance with Applicants duty of disclosure under an interpretation of *Dayco Prods., Inc. v. Total Containment, Inc.*, 329 F.3d 1358 (Fed. Cir. 2003).

This Information Disclosure Statement is being filed before mailing of the first Official Action. No first Official Action has yet been received and it is presumed that none has yet been mailed. No fee or statement is required. 37 C.F.R. § 1.97(b).

Respectfully submitted,

  
Christopher J. Dervishian, Reg. No. 42,480  
Attorney for Applicants

CJD/ap

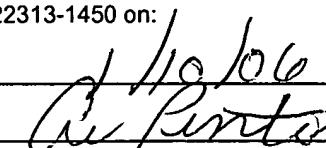
Enclosures: PTO/SB/08b  
(4) References  
Transmittal Form

Dated: January 10, 2006

<input checked="" type="checkbox"/> P.O. Box 980 Valley Forge, PA 19482 (610) 407-0700
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

### Complete if Known

Application Number	09/863,593
Filing Date	May 23, 2001
First Named Inventor	Parag Pruthi
Art Unit	2663
Examiner Name	Duc T. Duong
SHEET 1 of 1	Attorney Docket No. NIK-100US

### NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Tomohiko Ogishi et al., "Implementation of Performance Monitor for Internet and Examples of its Analysis", IEICE Technical Report, SSE98-97 IN98-78 (the Institute of Electronics, Information and Communication Engineers, September 25, 1998).	<input checked="" type="checkbox"/>
		Takayuki Kushida et al., "The Traffic Analysis on the Internet", Multimedia Communication and Dispersion Processing, 96-DPS-75-3 (Information Processing Society of Japan, Feb. 29, 1996).	<input checked="" type="checkbox"/>
		Remote LAN Monitor System "MONSTRE", Computer & Network LAN, Vol. 15, No. 8, pp 8-10 (Ohmsha, August 1, 1997).	<input checked="" type="checkbox"/>
		Japanese Patent Office - Decision of Refusal dated September 27, 2005.	<input checked="" type="checkbox"/>
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Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<sup>1</sup>Applicant's unique citation designation number (optional).

<sup>2</sup>Applicant is to place a check mark here if English language translation is attached.

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